

COASTAL CONSERVANCY

Staff Recommendation

October 3, 2013

CARMEL BEACH RESTROOM

Project No. 13-026-01

Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorize disbursement of up to \$150,000 to the City of Carmel-by-the-Sea to construct a barrier-free restroom at Carmel Beach, Carmel-by-the-Sea.

LOCATION: Carmel-by-the-Sea, Monterey County

PROGRAM CATEGORY: Public Access

EXHIBITS

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Restroom and Landscape Design Plans](#)

Exhibit 3: [Photos of Existing Conditions](#)

Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one hundred and fifty thousand dollars (\$150,000) to the City of Carmel-by-the-Sea (grantee) to construct a barrier-free restroom, landscaping, and drinking fountain at Carmel Beach, subject to the following conditions:

1. Prior to the disbursement of funds, grantee shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. Evidence that the grantee has obtained all necessary permits and approvals, and all other funds necessary to complete the public access improvements.
 - b. A final work program, budget, schedule, and names of any contractors to be employed for these tasks.
 - c. A signing plan for the project acknowledging Conservancy participation.
2. The City shall ensure that the final design of the project is consistent with the Conservancy’s ‘Standards and Recommendations for Accessway Location and Development’ and with all

applicable federal and state statutes, regulations and guidelines governing barrier-free access for persons with disabilities.

3. The City shall install California Coastal Trail emblems in the project area at locations identified by the City in consultation with the Conservancy.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the Conservancy’s current Project Selection Criteria and Guidelines.
2. The proposed project is consistent with Chapter 9, sections 31400-31410 of Division 21 of the Public Resources Code, regarding coastal access.
3. The proposed project serves greater than local needs.”

PROJECT SUMMARY:

Disbursement of up to \$150,000 to the City of Carmel-by-the-Sea will enable the City to construct a new barrier-free restroom on the bluff above the beach at the south end of Carmel Beach (Exhibit 1). Conservancy funds would be matched by \$150,000 in City funds as well as an additional \$75,000 previously expended by the City for pre-construction planning and design.

Located above the south end of Carmel Beach, the restroom would serve visitors to the most popular beach in Monterey County enjoyed by millions of beach goers each year. The restroom would also serve visitors to the California Coastal Trail that runs along the bluffs above the beach. Funding barrier-free support facilities such as restrooms at existing coastal accessways is identified as a priority in the Conservancy’s new strategic plan.

The project location is currently served by two portable toilets (“porta-potties”) that are neither attractive nor all that pleasant to use. The proposed permanent restrooms will feature two flush toilets, wash basins, janitor closet, new landscaping and hardscaping (i.e. rock walls) to screen the building, an interpretive panel on the Coastal Trail, and a drinking fountain. The facility is designed and located to minimize impacts to coastal views with a rock exterior and green roof that will serve to blend the building into the surrounding environment (Exhibits 2 and 3).

The City has approved the final plans and designs and awarded funds to match the Conservancy’s proposed grant. The proposed project is expected to be constructed in the winter of 2013 and open to the public by the summer of 2014.

Site Description: Located in northwest Monterey County, Carmel Beach includes 22 acres of fine white sand beach and dunes, and is widely considered to be one of the state’s most beautiful beaches, stretching more than a mile from the city’s northern border south to the project location near Carmel Point (Exhibit 1). The beach is enjoyed by millions of visitors and residents each year who take advantage of the area’s many beach accessways and blufftop path that is designated as a segment of the California Coastal Trail. An existing beach access stairway located at the project site provides access to the south end of the beach (Exhibit 3).

Project History: In 2004 the Coastal Commission approved the City’s updated Local Coastal

Program that identified the location for the proposed restroom. In 2009, the City awarded funds for initial design, and in 2011 awarded funds for preparation of final plans and specifications. In late 2012 the Planning Commission approved the project and in February of 2013 the City Council awarded funds to construct the project. In the spring of 2013 City staff contacted the Conservancy requesting match funds. Conservancy staff suggested additional landscaping in the vicinity of the restroom and an interpretive panel highlighting the Coastal Trail. City staff agreed to include both suggested additions in the final project plans.

PROJECT FINANCING

Coastal Conservancy	\$150,000
City of Carmel-by-the-Sea	<u>\$150,000</u>
Total Project Costs	\$300,000

The anticipated source for the Conservancy funds for this project is an appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, Public Resources Code section 75001 *et seq.* (Proposition 84). Proposition 84 authorizes the use of bond funds for projects that promote access to the coastal resources of the state and are consistent with the Conservancy's enabling legislation, Public Resources Code section 31000 *et seq.* (Public Resources Code § 75060(b)). Consistency of the project with the Conservancy's statutory mission is discussed below in "Consistency with Conservancy's Enabling Legislation." The proposed project will improve access support facilities at Carmel Beach.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 9 of the Conservancy's enabling legislation, Division 21 of the Public Resources Code (Sections 31400-31410), regarding public access to and enjoyment of coastal resources. Section 31400 states that the Conservancy shall have a principal role in the implementation of a system of public accessways to and along the state's coastline. Through the proposed action, the Conservancy will play a primary role by funding the development of access support facilities serving a trail system of statewide significance.

Section 31400.1 allows the Conservancy to award grants to a public agency for development of accessways to and along the coast that serve more than local public needs. Consistent with this section, the proposed access improvements will support access to Carmel Beach that attracts millions of visitors from throughout the region, the state and beyond.

Section 31400.2 requires the Conservancy to consider a number of factors in determining the amount of funding for an access project. Consistent with this section, the proposed level of funding was evaluated relative to the total amount of funding available to the Conservancy for coastal access projects, the fiscal resources of the applicant, and the Conservancy's project selection criteria (see Consistency with Conservancy's Project Selection Criteria & Guidelines).

Section 31400.3 enables the Conservancy to assist public agencies in developing and implementing a system of public accessways to and along the state's coastline. The proposed project will further

these goals by improving and enhancing public access in a heavily-visited coastal region as part of a regional, comprehensive public access plan.

CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:

The project is consistent with the Conservancy's Standards and Recommendations for Accessway Location and Development as follows:

Standard No. 1, Protect the Public and Coastal Resources: The project will be designed and located to minimize crowding, parking congestion, and misuse of coastal resources. The proposed restroom will minimize alteration of natural landforms, be subordinate to the setting's character, and prevent unwarranted hazards to the land and public safety, while ensuring the privacy of adjoining residences and protecting environmentally sensitive habitats areas.

Standard No. 4, Privacy: The design and proposed location of the restroom has taken into consideration the privacy of adjoining residences. Features including rock walls, a green roof, and landscaping will serve to screen the structure from adjoining residences.

Standard No. 12, Support Facilities: The proposed restroom will provide an essential amenity for visitors to the adjacent bluffs and beach.

Standard No. 13, Barrier-Free Access: Consistent with this standard, the proposed restroom design is consistent with all applicable federal and state statutes, regulations and guidelines governing barrier-free access for persons with disabilities.

**CONSISTENCY WITH CONSERVANCY'S 2013
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

The proposed project is consistent with the Conservancy's current Project Selection Criteria and Guidelines in the following respects:

Consistent with Goal 1 Objective A, the new interpretive panel will serve to promote awareness and use of the California Coastal Trail.

Consistent with Goal 1 Objective F, the new restroom would improve support facilities at an existing coastal accessway and will be accessible for people with disabilities.

Consistent with Goal 2, Objective D, the project would entail the construction of a new restroom and enhance coastal recreational opportunities.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's current Project Selection Criteria and Guidelines in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** This project enjoys the support of local and state elected officials, public agencies, and nonprofit organizations. See letters of support attached as Exhibit 5.
4. **Location:** The proposed project would be located within the coastal zone of the City of Carmel-by-the-Sea.
5. **Need:** Without Conservancy matching funds the proposed project would not be constructed and opened to the public in 2014 as scheduled, and not until the City obtained other match funds.
6. **Greater-than-local interest:** As one of the central coast's most popular destinations, the project would attract users from throughout the region, and enhance coastal recreation opportunities for tourists from all over the state and beyond.
7. **Sea level rise vulnerability:** The City has installed a seawall and rock revetment just north of the project site, and there is an area approximately 20-30 feet wide below the site that is stable sandstone. Each spring the City replenishes the beach sand by moving it up towards the toe of the bluffs. The project site is 25 or more feet above sea level, and together with the factors described here, is outside the elevations projected for sea level rise vulnerability.

Additional Criteria

8. **Leverage:** See the "Project Financing" section above.
9. **Readiness:** The City has completed all required permitting and environmental review, committed match funds and, pending Conservancy funding approval, intends to complete the proposed project by the spring or summer of 2014.
10. **Minimization of greenhouse gas emissions:** The City will use low emissions construction techniques wherever possible including the use of hand tools to construct the rock veneer walls of the restroom building and adjacent walls.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the following City of Carmel-by-the-Sea General Plan/Local Coastal Program (LCP) policies:

- P4-19:** Provide disabled access consistent with ADA requirements. Provide access that blends with the beach and allows disabled individuals the opportunity to enjoy a more natural beach experience.
- P4-41:** Retain the current second restroom facility at Santa Lucia Avenue until it can be replaced by a permanent site. Remove this facility upon construction of one or more additional permanent restrooms south of Eight Avenue.

P 4.3.2: The proposed project is consistent with Shoreline Management Plan of the LCP, (Appendix A) that calls for construction of a permanent restroom at the proposed location to replace the temporary facilities there now.

COMPLIANCE WITH CEQA:

The proposed project is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to 14 California Code of Regulations Sections 15303 (New Construction or Conversion of Small Structures) and 15304 (Minor Alterations to Land). Section 15303 exempts “construction and location of limited numbers of new, small facilities, or structures.” The project entails the construction of a new, small restroom structure and associated landscaping and hardscaping to screen the structure, and will replace two portable toilet structures and a wood fence. Consistent with Section 15304, the proposed project will consist of minor alterations in the condition of the land, water, and vegetation that do not involve removal of healthy, mature, scenic trees.

Upon approval staff will file a Notice of Exemption for this project.